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DECISION ON PETITION
UNDER 37 C.F.R. §1.6

PEARL COHEN ZEDEK LATZER, LLP
1500 Broadway, 12th floor
New York, NY 10036

In re Application of Boris Ginzburg et al. :
Appl. No.: 10/813,027 :
Filed: March 31, 2004 :
Attorney Docket No.: P-6388-US :
For: METHOD AND APPARATUS TO MULTICAST :
TRANSMISSION :

This is a decision on the petition under 37 C.F.R. § 1.6 and 1.181, filed July 3, 2008, which is being treated as a petition under 37 C.F.R. 1.6 and 1.8 to accept a Request for Continued Examination (RCE), filed via facsimile transmission, in response to a Final Office Action as timely filed.

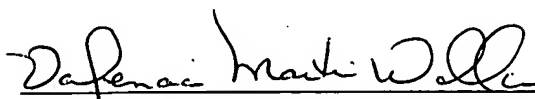
The petition is GRANTED.

Petitioner asserts that on April 11, 2006, Applicants' attorney transmitted via facsimile 16 pages including a facsimile cover sheet, RCE, and Amendment in response to the Final Office Action dated January 11, 2008. Applicants' attorney facsimile machine printed a report confirming the transmission of 16 pages to the Office's centralized facsimile number (571) 273-8300. The facsimile cover sheet also includes a Certificate of Transmission signed by Adi Stav-Golding in accordance with 37 C.F.R. 1.8. The above 16 pages of facsimile transmission, however, was never entered into the record.

The petition satisfies the requirements of 37 C.F.R. 1.6 and 1.8 in that the petition has supplied (1) a copy of the Auto-Reply Facsimile Transmission from the Office indicating receipt of the 16 pages including the facsimile cover sheet originally sent, (2) a copy of the above-mentioned Certificate of Transmission, and (3) a copy of the original 16-page response. Accordingly, the Request for Continued Examination, resubmitted concurrently with the petition on July 3, 2008, is accepted as being timely and no extension-of-time fee will be charged.

This application is being referred to the Technical Support Staff for processing of the Request for Continued Examination.

Any inquiry regarding this decision should be directed to Chi Pham, Supervisory Patent Examiner, at (571) 272-3179.


Valencia Martin-Wallace, TC Director
Technology Center 2400